

This is plaintiff's second motion for appointment of counsel. Plaintiff's first motion was denied on January 17, 2008. On that date, the Court considered the factors for appointment of counsel and found that the facts and legal issues involved were not so complicated that the appointment of counsel was warranted at that time. In the instant motion, plaintiff essentially asserts that he should be appointed counsel because he is disadvantaged by his pro se status and unfamiliar with federal procedures. In light of the Court's earlier decision that the facts and legal issues involved are not so complicated to warrant appointment of counsel, the mere fact that plaintiff is representing himself pro se and is unfamiliar with the Federal Rules of Civil Procedure cannot suffice to form a reason for appointment of counsel at this time. See Nelson

v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984) (noting that there is no constitutional or statutory right to appointed counsel in civil cases).

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for appointment of counsel [Doc. #22] is **DENIED**.

Dated this 24th day of June, 2008.



AUDREY G. FLEISSIG
UNITED STATES MAGISTRATE JUDGE